

### **REMARKS**

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-20 were pending in the application, of which Claims 1, 11, 18, and 20 are independent. In the Office Action dated April 8, 2008, Claims 1-6 and 11-20 were rejected under 35 U.S.C. § 103(a), Claims 18-20 were rejected under 35 U.S.C. § 112, first paragraph, and Claims 7-10 were objected to, but were deemed allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Following this response, Claims 1-20 remain in this application. Applicants hereby address the Examiner's rejections in turn.

#### **I. Interview Summary**

Applicants thank Examiner Gauthier for the courtesy of a telephone interview on July 14, 2008, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. §§ 103 and 112. During the interview, Applicant asserted that the cited references did not render obvious the claims as amended. The Examiner agreed that the amendments appeared to overcome the rejections, but that a further search would be required. No agreement was reached regarding patentability.

#### **II. Rejection of Claims 18-20 Under 35 U.S.C. §112, First Paragraph**

In the Office Action dated April 8, 2008, the Examiner rejected Claims 18-20 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way to reasonably convey to one skilled in the art, at the time the application was filed, that the inventor had possession of the claimed

invention. Applicants respectfully direct the Examiner's attention to FIG. 2, page 3, lines 5-6 and 29-30, and page 9, lines 1-20 of the Specification. Applicants respectfully submit that at least these sections of the specification adequately describe the subject matter of Claims 18-20 and respectfully request withdrawal of this rejection of Claims 18-20.

### III. Rejection of the Claims Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected Claims 1-6 and 11-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pub. Patent App. No. 2003/0185369 ("*Oliver*") in view of U.S. Pub. Patent App. No. 2005/0187781 ("*Christensen*"). Claims 1, 11, 18, and 20 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "receiving at the telephone conference gateway computer an indication that a telephone call has been placed to one of the participants and that the telephone call is in a ringing state." Amended Claims 11, 18, and 20 each include a similar recitation. Support for these amendments can be found in the specification at least on page 6, lines 7-9.

In contrast, *Oliver* at least does not teach or suggest the aforementioned recitation. For example, *Oliver* merely discloses requesting a telephone conference bridge from a media application. (*Oliver*, para. [0054].) In *Oliver*, the request includes reservation information that is transmitted to a signal processing component (SPC). (*Oliver*, para. [0054].) However, as the Examiner states, *Oliver* fails to disclose receiving

an instant message at the instant messaging server. (See Office Action, page 4.) Nowhere does *Oliver* disclose either transmitting a telephone conference request via instant message (IM) nor receiving call status information via IM. Rather, *Oliver* merely discloses using a media application to send conference request data to a signal processing component.

Furthermore, *Christensen* does not overcome *Oliver*'s deficiencies. *Christensen* merely discloses interactions via instant messaging. (*Christensen*, Abstract.) In *Christensen*, an interaction center receives customer-side instant messages (IMs). (*Christensen*, para. [0039].) A gateway in *Christensen* creates an IM session with the customer and conferences in an agent or interactive response device. (*Christensen*, para. [0039].) *Christensen*'s agent can conference in other agents or resources into the instant messaging session as needed and transfer an instant messaging session to another agent or resource. (*Christensen*, para. [0063].) Like *Oliver*, nowhere does *Christensen* disclose either transmitting a telephone conference request via instant message (IM) nor receiving call status information via IM. Rather, *Christensen* merely discloses IM conferences between customers and service agents.

Combining *Oliver* with *Christensen* would not have led to the claimed subject matter because *Oliver* and *Christensen*, either individually or in combination, at least do not disclose or suggest "receiving at the telephone conference gateway computer an indication that a telephone call has been placed to one of the participants and that the telephone call is in a ringing state," as recited by amended Claim 1. Amended Claims 11, 18, and 20 each includes a similar recitation. Accordingly, independent Claims 1,

11, 18, and 20 are distinguishable over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 1, 11, 18, and 20.

Dependent Claims 2-6, 12-17, and 19 are also allowable at least for the reasons described above regarding independent Claims 1, 11, and 18, and by virtue of their respective dependencies upon independent Claims 1, 11, and 18. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-6, 12-17, and 19.

#### IV. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,  
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Date: July 18, 2008

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